

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Friedrich Lu,	:	
	:	
Plaintiff,	:	No. 2:24-cv-01169-RBS
	:	
v.	:	
	:	
	:	
	:	Honorable R. Barclay Surrick, J.
John F. Kerry, et al.,	:	
	:	
Defendants	:	
	:	

**MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF’S
AMENDED COMPLAINT FILED ON BEHALF OF DEFENDANTS SEAN PATRICK O’MALLEY,
FRANCIS J. O’CONNOR, AND ROMAN CATHOLIC ARCHBISHOP OF BOSTON**

AND NOW, come Defendants, Sean Patrick O’Malley, Francis J. O’Connor, and Roman Catholic Archbishop of Boston (hereinafter “Defendants”), by and through their undersigned counsel, and move this Honorable Court for an extension of time to respond to Plaintiff’s Amended Complaint, and in support thereof, aver as follows:

1. March 15, 2024, Plaintiff, Friedrich Lu (hereinafter “Plaintiff”) filed a Complaint in this Court against dozens of individuals and entities in Massachusetts.
2. On April 1, 2024, Plaintiff filed an Amended Complaint, joining additional parties.
3. Plaintiff’s claims appear to relate to prior lawsuits filed in state and federal courts in Massachusetts.
4. Plaintiff currently is barred from filing additional lawsuits in the United States District Court for the District of Massachusetts and the Suffolk County Superior Court Division of the Trial Court Department of the Commonwealth of Massachusetts without complying with certain procedures. (March 29, 2002, Order, attached hereto as Exhibit “A”).

5. Plaintiff previously has attempted to skirt this requirement by bringing claims in this Court that relate solely to issues arising in the Commonwealth of Massachusetts. *See e.g. Lu v. Young*, 2023 WL 5153515 (E.D. Pa. August 10, 2023) (dismissing claims against a Boston-area homeless shelter for lack of jurisdiction).

6. Plaintiff's Amended Complaint contains thirty-five (35) separate counts, and attempts to incorporate dozens of Plaintiff's prior lawsuits as part of an addendum.

7. Cardinal Sean Patrick O'Malley, the Archbishop of the Roman Catholic Diocese of Boston, was out of the country when a copy of the Amended Complaint was mailed to the Cathedral of the Holy Cross.

8. Defendants are still trying to determine if Plaintiff has effectuated proper service.

9. Defendants intend to move to dismiss Plaintiff's Amended Complaint on the grounds that, *inter alia*, this District Court lacks personal and specific jurisdiction against them, as well as under FED. R. CIV. P. 12(b)(6).

10. The undersigned counsel begins a jury trial on May 9, 2024, in the Court of Common Pleas of Philadelphia County, Pennsylvania.

11. In light of the issues with service, the nature of Plaintiff's claims, and counsel's trial schedule, Defendant now seek an extension of time to respond to Plaintiff's Amended Complaint.

12. Pursuant to FED. R. CIV. P. 6, good cause exists for the requested extension.

WHEREFORE, Defendants, Sean Patrick O'Malley, Francis J. O'Connor, and Roman Catholic Archbishop of Boston respectfully request that this Honorable Court grant this motion and grant until June 6, 2024, for Defendants to file a response to Plaintiff's Amended Complaint.

Respectfully submitted,

DEASEY, MAHONEY & VALENTINI, LTD.

By: /s/ *Rufus A. Jennings*

Rufus A. Jennings, Esquire
Pa. Attorney Identification No. 93030
1601 Market Street, Suite 3400
Philadelphia, PA 19103
Phone: (215) 587-9400
Fax: (215) 587-9456
Email: rjennings@dmvlawfirm.com

Attorney for Defendants
Sean Patrick O'Malley, Francis J. O'Connor,
and Roman Catholic Archbishop of Boston

Date: May 6, 2024

CERTIFICATE OF SERVICE

I, Rufus A. Jennings, hereby certify that on the date set forth below, I did cause a true and correct copy of the foregoing Motion for Extension of Time to Respond to Plaintiff's Amended Complaint to be filed with the Court's ECF/PACER electronic filing system, where it was available for immediate viewing and download to all counsel of record. I further certify that a copy of the Motion and supporting Memorandum of Law was served on the following individual viz first-class U.S. Mail and email:

Friedrich Lu
P.O. Box 499
Lafayette Station
Boston, MA 02112
CHI2FLU@gmail.com

/s/ *Rufus A. Jennings*
Rufus A. Jennings, Esquire

Date: May 6, 2024